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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/502,318 | 07/23/2004 | Joon-Bac Park | P-0711 | 1811 |

34610 7590 03/07/2007
KED & ASSOCIATES, LLP
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Chantilly, VA 20153-1200

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| EXAMINER |
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SMITH, CHENECA

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| ART UNIT | PAPER NUMBER |
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2109

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 03/07/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| | | | |
|------------------------------|-------------------------------|--------------------------------|--|
| Office Action Summary | Application No. 10/502,318 | Applicant(s) PARK, JOON-BAE | |
| | Examiner Cheneca P. Smith | Art Unit 2109 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/23/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date See Continuation Sheet.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :7/23/2004 & 6/29/2006 & 1/19/2007.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file. It has been noted that this application is a national stage entry of PCT/KR03/00197 filed on 1/28/2003.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Howard et al (US Patent 6,954,850 B1).

As to claim 1, Howard discloses a system for upgrading data of an electric home appliance, comprising:

an electric home appliance having a microcomputer built-in (see FIG.1: 42, 44 and column 4 lines 37 - 43).

a computer system for displaying data for updating the microcomputer of the

electric home appliance on a display device by connecting to the internet (see FIG. 1: 32 and column 4, lines 20-26, which teaches that the controller computer can be a conventional desktop computer);

and a detector, which is connected with the electric home appliance, for reading the data displayed on the display device and applying the data to the electric home appliance (see FIG. 2: 20, 62 and column 5, lines 18-25).

While not specifically stated by Howard that the computer system of his invention has a display device, it is inherent that the computer system would include a display device, as desktop computers characteristically include display devices to display information from the computer to various users.

As to claim 2, Howard discloses the system of claim 1, wherein the electric home appliance has a protocol for analyzing the data applied in the detector built-in (see FIG. 2: 56 and column 4, lines 51-54 and lines 62-64).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3 – 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Howard et al in view of Tanaka et al (US Patent 5,907,317).

As to claims 3, 4, and 6, Howard teaches the limitations of claim 1, but does not

specifically teach that the data is displayed on the display device with colors. Tanaka is cited to teach a method that displays input data in color on a color display device.

Tanaka teaches how graphs of input data are produced and the produced graphs are then displayed in the corresponding designated colors (see Abstract and Figure 4: B1, B2, B3, B5, B9, and B10). Because black and white are essentially colors, it is assumed that the data being displayed in "designated colors," according to Tanaka's invention, would include the colors black and white. It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Tanaka and Howard to provide a more effective way for users to visually interpret the data being analyzed

As to claim 5, Howard does not specifically teach that the detector reads the data displayed on the display device as colors. However, Tanaka teaches how functional expression data and corresponding color data that designate display colors of the graphs are input (see Abstract).

As to claim 7, Howard teaches a system for upgrading data of an electric home appliance, comprising:

an electric home appliance having a communication port, which can upgrade functions of a built-in microcomputer (see FIG. 1: 42, 48),

a computer system which performs downloading of update data of the electric home appliance by connecting to the internet and displays the data as two colors of black and white (see FIG.1: 32 and column 2, lines 46-50),

and a detector, which is connected with the communication port of the electric

home appliance with a cable, for applying the data to the electric home appliance by detecting the black and white data displayed on the display device of the computer system (see FIG. 1: 48, 26 and column 5, lines 18-20). Howard does not specifically teach that the data is displayed on the display device as black and white. However, Tanaka is cited to teach a method that displays input data in color on a color display device. Tanaka teaches how graphs of input data are produced and the produced graphs are then displayed in the corresponding designated colors (see Abstract). Because black and white are essentially colors, it is assumed that the data being displayed in "designated colors," according to Tanaka's invention, would include the colors black and white. It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Tanaka and Howard to provide a more effective way for users to visually interpret the data being analyzed.

As to claim 8, Howard discloses the system of claim 7, wherein the electric home appliance has a protocol for analyzing the data applied in the detector built-in (see FIG. 2: 56 and column 4, lines 51-54 and lines 62-64).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gilton (US Patent Application Publication 2004/0043816 A1) is cited to teach a method for transferring data from a display device to an electronic device, which could be a smart appliance. Gilton also teaches where the data bits

displayed are detected by sensors and are represented in binary colors of black and white.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheneca P. Smith whose telephone number is (571) 270-1651. The examiner can normally be reached on Monday-Friday 7:30-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xiao Wu can be reached on (571) 272-7761. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

C.S
2/26/07


XIAO WU
SUPERVISORY PATENT EXAMINER